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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/785,172	02/20/2001	Katsuyoshi Suzuki	P20281.P06	4360

7055 7590 10/05/2004

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EXAMINER	
ELDER, JEREMY RYAN	

ART UNIT	PAPER NUMBER
2612	6

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/785,172	Applicant(s) SUZUKI, KATSUYOSHI	
	Examiner Jeremy R. Elder	Art Unit 2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 February 2001*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 February 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Title

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 5, 6 and 13 are rejected under 35 U.S.C. 102(e) as being anticipated by Enright et al. (US# 6583813).

4. Regarding claim 1, Enright et al. disclose a camera that captures images of an object and transmits image data to a predetermined location via a network. (fig. 11 and col. 4, line 62 – col. 5, line 5).

Enright et al. disclose an image-capturing device (camera 186, 188 or 190) that captures images and converts the captured images into digital data (col. 29, lines 11-18).

Also disclosed is a storage device (data store) that stores digital data corresponding to the captured images in a form of image data files. (col. 29, lines 26-30).

Enright et al. further disclose the use of a plurality of schedule scripts (col. 35, lines 25-44). Although a memory that stores schedule data is not explicitly stated, it is inherent that a user terminal have access to such a memory as to set and store the settings as described.

Enright et al. disclose a network interface (fig. 11). They describe that the network may be a telecommunications network, WAN or the Internet (col. 5, lines 3-5).

Enright et al. disclose a data transfer client (mini server 192, 194 or 196) that controls the network interface to transfer the image data file to said predetermined site (image server 182) on the Internet (col. 29 lines 11-15).

Enright et al. disclose that their schedules (timing and sequence instructions) are stored in connection to the image server (col. 34, lines 14-18). This image server works as a schedule-merging device that merges said plurality of schedule scripts into a merged schedule when storing the information from the user terminal as described in (col. 35, lines 25-44).

Enright et al. also disclose that software acts as a controller to control the data transfer client (mini server 192, 194 or 196) converts the camera signals to image files. The programmable instructions (merged schedules) are executed in connection with the predetermined site (image server 182). The same software controls the data transfer client (mini server 192 194 or 196) to transfer the image data file corresponding to the captured image in accordance with the merged schedule (programmable instructions) to said predetermined site (image server 182) (col. 29, lines 11-30).

5. Regarding claims 2, 6 and 10, Enright et al. disclose the schedules (timing and sequence instructions) are stored in connection to the image server. The schedule-merging device (image server 182) assigns priorities for overlapping schedules with the narrowest schedule getting highest priority (col. 35, lines 31-40).

6. Regarding claim 5, Enright et al. disclose a camera that captures images of an object and transmits image data to a predetermined location via a network. (fig. 11 and col. 4, line 62 – col. 5, line 5).

Enright et al. disclose an image-capturing device (camera 186, 188 or 190) that captures images and converts the captured images into digital data (col. 29, lines 11-18).

Also disclosed is a storage device (data store) that stores digital data corresponding to the captured images in a form of image data files. (col. 29, lines 26-30).

Enright et al. further disclose the use of a plurality of schedule scripts (col. 35, lines 25-44). Although a memory that stores schedule data is not explicitly stated, it is inherent that a user terminal have access to such a memory as to set and store the settings as described.

Enright et al. disclose a data transfer client (mini server 192, 194 or 196) that controls the network interface to transfer the image data file to said predetermined site (image server 182) on the Internet (col. 29 lines 11-15).

Enright et al. disclose that their schedules (timing and sequence instructions) are stored in connection to the image server (col. 34, lines 14-18). This image server works as a schedule-merging device that merges said plurality of schedule scripts into a merged schedule when storing the information from the user terminal as described in (col. 35, lines 25-44).

Enright et al. also disclose that software acts as a controller to control the data transfer client (mini server 192, 194 or 196) converts the camera signals to image files. The programmable instructions (merged schedules) are executed in connection with the predetermined site (image server 182).

7. Regarding claim 9, Enright et al. disclose a camera that captures images of an object and transmits image data to a predetermined location via a network. (fig. 11 and col. 4, line 62 – col. 5, line 5).

Enright et al. further disclose the use of a plurality of schedule scripts (col. 35, lines 25-44). Although a memory that stores schedule data is not explicitly stated, it is inherent that a user terminal have access to such a memory as to set and store the settings as described.

Enright et al. disclose a network interface (fig. 11). They describe that the network may be a telecommunications network, WAN or the Internet (col. 5, lines 3-5).

Enright et al. disclose a data transfer client (mini server 192, 194 or 196) that controls the network interface to transfer the image data file to said predetermined site (image server 182) on the Internet (col. 29 lines 11-15).

Enright et al. disclose that their schedules (timing and sequence instructions) are stored in connection to the image server (col. 34, lines 14-18). This image server works as a schedule-merging device that merges said plurality of schedule scripts into a merged schedule when storing the information from the user terminal as described in (col. 35, lines 25-44).

Enright et al. also disclose that software acts as a controller to control the data transfer client (mini server 192, 194 or 196) converts the camera signals to image files. The programmable instructions (merged schedules) are executed in connection with the predetermined site (image server 182).

8. Regarding claim 13, Enright et al. disclose a camera that captures images of an object and transmits image data to a predetermined location via a network. (fig. 11 and col. 4, line 62 – col. 5, line 5).

Enright et al. further disclose the use of a plurality of schedule scripts (col. 35, lines 25-44). Although a memory that stores schedule data is not explicitly stated, it is inherent that a user terminal have access to such a memory as to set and store the settings as described.

Enright et al. disclose a network interface (fig. 11). They describe that the network may be a telecommunications network, WAN or the Internet (col. 5, lines 3-5).

Enright et al. disclose a data transfer client (mini server 192, 194 or 196) that controls the network interface to transfer the image data file to said predetermined site (image server 182) on the Internet (col. 29 lines 11-15).

Enright et al. disclose that their schedules (timing and sequence instructions) are stored in connection to the image server (col. 34, lines 14-18). This image server works as a schedule-merging device that merges said plurality of schedule scripts into a merged schedule when storing the information from the user terminal as described in (col. 35, lines 25-44).

Enright et al. also disclose that software acts as a controller to control the data transfer client (mini server 192, 194 or 196) converts the camera signals to image files. The programmable instructions (merged schedules) are executed in connection with the predetermined site (image server 182). The same software

controls the data transfer client (mini server 192 194 or 196) to transfer the image data file corresponding to the captured image in accordance with the merged schedule (programmable instructions) to said predetermined site (image server 182) (col. 29, lines 11-30).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claim 3, 4, 7, 8, 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Enright et al. in view of Kurosawa et al.

Regarding the above claims, Enright et al. disclose a start time for the script programming as well as a designation for what days of the week to execute (col. 35, lines 30-41 and fig. 21).

However, Enright et al. do not disclose the use of an end time, nor do they disclose the use of intervals.

Kurosawa et al. teach of a video image control apparatus that the user controls via an Internet URL. The URL's format discloses the information such as start date,

end date, interval time (regarding claims 4, 8 and 12) as well as pan, tilt and zoom (col. 8, lines 60-67).

It would have been obvious to one of ordinary skill in the art at the time of invention to use the format of Kurosawa et al. with invention of Enright et al. to create a system where the user can control the start time, interval time and end time as well as the day of the week that a camera is to operate automatically for the benefit of only recording what is wanted by the user saving memory space that would otherwise be filled with unwanted data.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeremy R. Elder whose telephone number is (703) 305-4693. The examiner can normally be reached on M-F 800-430.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R. Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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